

## **FACT SHEET: Disciplinary Review Committee Hearings**

**Q. I RECEIVED A CITATION AND I DO NOT AGREE. WHAT SHOULD I DO?**

- A. After receiving your citation in the mail, you can either pay the fine amount or sign and submit the attached document that states "Appeal Request/Statement of Correction". Make sure to mark the box indicating whether you are appealing the fine amount or entire citation and send the request to the Board at the address printed on this letterhead. After the Board receives your citation appeal request, you will be scheduled for an informal appeal hearing before the Board's Disciplinary Review Committee.

**Q. HOW MUCH TIME DO I HAVE TO APPEAL MY CITATION?**

- A. All appeals must be submitted within 30 days of the date the citation was issued. Appeals that are not submitted in a timely manner will be rejected.

**Q. HOW AND WHEN WILL I BE NOTIFIED OF MY HEARING?**

- A. Approximately 30 days before the date of your hearing, you will be notified by mail of the date, time and location of your hearing. To ensure that the Notices of Hearing are delivered, the Board will send two Notices to your address of record—one via regular mail and the other via certified mail. If you have recently moved or have cancelled your establishment license, you must notify the Board within 30 days of your new address.

**Q. WHAT CAN I DO IF I AM UNABLE TO ATTEND IN PERSON?**

- A. You may send an authorized representative to speak on your behalf. You must provide a signed authorization letter allowing the representative to appear in your absence. If you are an employee of an establishment, the owner of the establishment cannot represent you at the hearing.

You may also choose to withdraw your request for a hearing by sending in a written request prior to the hearing and subsequently pay the full amount of the fine. A withdraw request form is included on the second page of your Notice of Hearing.

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**Q. CAN I SUBMIT A WRITTEN STATEMENT INSTEAD OF APPEARING IN PERSON?**

- A. Yes; you may choose to waive your right to appear in person and provide the Board with written testimony or evidence, such as photos, proof of licensure, or cleaning logs, detailing the facts and circumstances relating to the citation. If your appeal request is granted, you will receive a letter with further information on this option.

**Q. IF I FAIL TO SHOW UP AT MY HEARING, CAN I RESCHEDULE?**

- A. You must show "good cause" in order to reschedule your hearing. "Good Cause" is defined by the Board as personal illness, auto accident, death or severe illness in the immediate family or other severe physical or emotional hardship. Any condition to be considered good cause must be verified in writing.

**Q. WHAT CAN I EXPECT DURING THE INFORMAL APPEAL HEARING?**

- A. During your appeal hearing, you will have the opportunity to discuss your case with the Disciplinary Review Committee, which consists of a panel of three Board members. You will have 15 minutes to state your case and explain why you are appealing. You are allowed, but are not required, to bring appropriate representation, witnesses, written documentation or photos to support your case.

**Q. IF I NEED AN INTERPRETER, WILL THERE BE ONE PRESENT?**

- A. No; you must bring an interpreter with you and the interpreter cannot have a pending appeal hearing for a citation issued to him or her at the same location.

**Q. WHEN WILL I BE INFORMED OF THE RESULTS OF MY APPEAL?**

- A. You will be notified by mail of the Committee's decision 30 days after your hearing date. The Decision Document mailed to you will state whether your violations are upheld, modified, or dismissed. It will also state the total amount owed on the citation.

**Q. CAN I CONTEST THE COMMITTEE'S DECISION?**

- A. Yes; if you do not agree with the Committee's decision, you may appeal by sending in a written request to be heard before an Administrative Law Judge. Your request must be submitted before the effective date of the decision or 59 days of your hearing date. Your appeal will then be handled by the Office of the Attorney General.